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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**

10
11 OYSTER OPTICS, LLC,
12 *Plaintiff,*
13 v.
14 CIENA CORPORATION,
15 *Defendant.*
16
17

Case No.
4:17-cv-05920-JSW

**DECLARATION OF CHRISTINA A.
ONDRICK IN SUPPORT OF CIENA
CORPORATION'S RESPONSIVE CLAIM
CONSTRUCTION BRIEF**

1 I, Christina A. Ondrick, hereby declare as follows.

2 1. I am a partner at the law firm Paul Hastings LLP, counsel of record for Defendant Ciena
3 Corporation (“Ciena”) in the above-captioned matter. I make this declaration on the basis of
4 personal knowledge, and if called to testify as a witness, I would and could testify competently
5 hereto.

6 2. Attached hereto as Exhibit L is a true and correct copy of the Declaration of Richard
7 Gitlin, SC.D. in support of Ciena’s Preliminary Claim Constructions, dated February 10, 2020.

8 3. Attached hereto as Exhibit M is a true and correct copy of a white paper by Oyster
9 Optics, Inc. The white paper is entitled “Securing Fiber Optic Communications against Optical
10 Tapping Methods” and is dated 2002.

11 4. Attached hereto as Exhibit N is a true and correct copy of the United States Patent and
12 Trademark Office’s Issue Classification for U.S. Patent Application No. 10/188643, Issued as U.S.
13 Patent No. 7,620,327.

14 5. Attached hereto as Exhibit O is a true and correct copy of IPR2017-02173 Paper No.
15 10, which is the Patent Owner’s Preliminary Response.

16 6. Attached hereto as Exhibit P is a true and correct copy of IPR2017-02173 Paper No. 12,
17 which is the Patent Trial and Appeal Board’s (“PTAB”) Decision Denying Institution of Inter
18 Partes Review.

19 7. Attached hereto as Exhibit Q is a true and correct copy of IPR2018-00259 Paper No 10,
20 which is the Patent Owner’s Preliminary Response.

21 8. Attached hereto as Exhibit R is a true and correct copy of IPR2018-00259 Paper No 12,
22 which is the PTAB’s Decision Denying Institution of Inter Partes Review.

23 9. Attached hereto as Exhibit S is a true and correct copy of IPR2018-00070 Paper No 12,
24 which is the Patent Owner’s Preliminary Response.

25 10. Attached hereto as Exhibit T is a true and correct copy of IPR2018-00070 Paper No.
26 14, which is the PTAB’s Decision Institution of Inter Partes Review.

- 1 11. Attached hereto as Exhibit U is a true and correct copy of IPR2018-00070 Paper No.
2 26, which is the Patent Owner's Response.
- 3 12. Attached hereto as Exhibit V is a true and correct copy of IPR2017-01870 Paper No.
4 8, which is the Patent Owner's Preliminary Response.
- 5 13. Attached hereto as Exhibit W is a true and correct copy of IPR2017-01881 Paper No.
6 11, which is the PTAB's Decision Institution of Inter Partes Review.
- 7 14. Attached hereto as Exhibit X is a true and correct copy of IPR2017-01881 Paper No.
8 16, which is the Patent Owner's Response.
- 9 15. Attached hereto as Exhibit Y is a true and correct copy of IPR2017-01881 Paper No.
10 29, which is the PTAB's Final Written Decision.
- 11 16. Attached hereto as Exhibit Z is a true and correct copy of IPR2018-00257 Paper No.
12 12, which is the Patent Owner's Preliminary Response.
- 13 17. Attached hereto as Exhibit AA is a true and correct copy of IPR2017-01871 Paper No.
14 7, which is the Patent Owner's Preliminary Response
- 15 18. Attached hereto as Exhibit BB is a true and correct copy of IPR2017-01871 Paper No.
16 11, which is the PTAB's Decision Denying Instituion of Inter Partes Review
- 17 19. Attached hereto as Exhibit CC is a true and correct copy of IPR2017-02146 Paper No.
18 10, which is the Patent Owner's Preliminary Response.
- 19 20. Attached hereto as Exhibit DD is a true and correct copy of IPR2017-01882 Paper No.
20 7, which is the Patent Owner's Preliminary Response.
- 21 21. Attached hereto as Exhibit EE is a true and correct copy of U.S. Patent No. 6,469,816.
- 22 22. Attached hereto as Exhibit FF is a true and correct copy of Dr. Lebby's deposition
23 transcript dated Sept. 6, 2017.
- 24 23. Attached hereto as Exhibit GG is a true and correct copy of a Preliminary Amendment
25 dated Feb. 5, 2013 during the prosecution of U.S. Patent No. 8,913,898.
- 26 24. Attached hereto as Exhibit HH is a true and correct copy of Excerpts from Dr. Buck's
27 Non-Infringement Report.
- 28

1 25. Attached hereto as Exhibit II is a true and correct copy of Oyster Optics, LLC's
2 Second Supplemental Responses and Objections to Alcatel-Lucent USA, Inc.'s Third Set of
3 Interrogatories (Nos. 11-13).

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5 DATED: April 3, 2020

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